

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TERMINAL DISCLAIMER TO OBViate A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION**Docket Number (Optional)  
ZF196US

In re Application of: Kia Silverbrook  
Application No.: 10/713,093  
Filed: November 17, 2003  
For: Micro-Electromechanical Liquid Ejection Device

The owner\*, Kia Silverbrook, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/713,071, filed on Nov 17, 2003, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1.  For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney or agent of record.

Sept 8, 2004

Signature

Date

Kia Silverbrook

Typed or printed name

09/14/2004 YPOLITE1 00000044 10713093

01 FC:1814 110.00 OP

61-2-9818-6633

Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) is included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

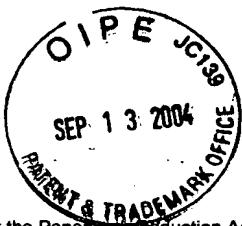
\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/14/2004 YPOLITE1 00000044 10713093

01 FC:1814 110.00 OP



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00)

## Complete if Known

Application Number	10/713,093
Filing Date	November 17, 2003
First Named Inventor	Kia Silverbrook
Examiner Name	Raquel Yvette Gordon
Art Unit	2853
Attorney Docket No.	ZF196US

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385			Utility filing fee	
1002 340	2002 170			Design filing fee	
1003 530	2003 265			Plant filing fee	
1004 770	2004 385			Reissue filing fee	
1005 160	2005 80			Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>					

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3** =	X	=

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		

\*\*or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	1051	2051	Surcharge - late filing fee or oath	
1052 50	2052 25	1052	2052	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	1053	1053	Non-English specification	
1812 2,520	1812 2,520	1812	1812	For filing a request for ex parte reexamination	
1804 920*	1804 920*	1804	1804	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	1805	1805	Requesting publication of SIR after Examiner action	
1251 110	2251 55	1251	2251	Extension for reply within first month	
1252 420	2252 210	1252	2252	Extension for reply within second month	
1253 950	2253 475	1253	2253	Extension for reply within third month	
1254 1,480	2254 740	1254	2254	Extension for reply within fourth month	
1255 2,010	2255 1,005	1255	2255	Extension for reply within fifth month	
1401 330	2401 165	1401	2401	Notice of Appeal	
1402 330	2402 165	1402	2402	Filing a brief in support of an appeal	
1403 290	2403 145	1403	2403	Request for oral hearing	
1451 1,510	1451 1,510	1451	1451	Petition to institute a public use proceeding	
1452 110	2452 55	1452	2452	Petition to revive - unavoidable	
1453 1,330	2453 665	1453	2453	Petition to revive - unintentional	
1501 1,330	2501 665	1501	2501	Utility issue fee (or reissue)	
1502 480	2502 240	1502	2502	Design issue fee	
1503 640	2503 320	1503	2503	Plant issue fee	
1460 130	1460 130	1460	1460	Petitions to the Commissioner	
1807 50	1807 50	1807	1807	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	1806	1806	Submission of Information Disclosure Stmt	
8021 40	8021 40	8021	8021	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	1809	2809	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	1810	2810	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	1801	2801	Request for Continued Examination (RCE)	
1802 900	1802 900	1802	1802	Request for expedited examination of a design application	
Other fee (specify)		Terminal Disclaimer		\$110.00	
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)		\$110.00	

(Complete if applicable)

Name (Print/Type)	Kia Silverbrook	Registration No. (Attorney/Agent)		Telephone +6198186633
Signature	unr		Date	Sept 8, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.